

4. Discussion for possible action to approve the minutes of the September 25, 2015 meeting.

Clark County District Attorney Steve Wolfson move to approve the minutes from September 24, 2015 meeting. Marc Schifalacqua seconded the motion and the motion was approved unanimously. Minutes Approved.

5. Attorney General's report on the Domestic Violence Prevention Council meeting on November 9, 2015, NRS 228.490, and the Domestic Violence Fatality Review Statewide Team. NRS 228.495.

Joelle Gutman, Domestic Violence Ombudsman, reported on the Domestic Violence Prevention Council (DVPC) meeting held on November 9, 2015. The council discussed bill recommendations for the next legislative session. Gutman also reported on the Domestic Violence Fatality Review Statewide Team meeting in Ely earlier in the week. Members Mark Jackson and Karl Hall and Brett Kandt and Patricia Cafferata volunteered to review and make recommendations for updating the "Domestic Violence Prosecution Best Practice Guideline" manual. While no deadline was set for completing of the editing, the group will report at next DVPC meeting on March 16, 2016 and then to the Council for Prosecuting Attorneys at its next meeting.

6. Executive Director Patricia Cafferata's report.

- a. Successful Attorney General's Law Enforcement Summit was held on September 29, 2015.**
- b. Next Law Enforcement Summit is set for February 17, 2016, the day before the Sheriffs and Chiefs meeting in Elko, Nevada.**
- c. Technological Crime Advisory Board meeting December 10, 2015.**
- d. Working on NVPAC conference for the Fall, including sponsorships and grants for funding.**

Cafferata also requested that if anyone has any ideas or topics for the AG's Law Enforcement Summit in February, 2016, to please send her this information.

7. Discussion for possible action on Council's duties set forth in NRS 241A.070:

- a. Develop and carry out a program for training and assisting prosecutors in conducting criminal and civil prosecutions;**
- b. Coordinate the development of policies for conducting criminal and civil prosecutions; and**
- c. Coordinate the development of proposed legislation for the 79th Legislative Session in 2017.**

Cafferata inquired whether the council wanted more training sessions per year because there are only two per year right now, one for criminal prosecutors and one for civil public lawyers.

Wolfson stated he is willing to open their internal training programs to other prosecuting offices, if they are interested.

AG Laxalt directed Cafferata to propose a couple of training options to be discussed at the next meeting.

- **AG Laxalt took agenda items #15-18 out of order.**

15. **Discussion for possible action on updating and reprinting the pamphlet “Your Rights and Responsibilities as a Crime Victim and Witness.”**
16. **Discussion for possible action on updating “Model Policy Standard Operating Procedure for the Enforcement of Protection Orders against Domestic Violence.”**
17. **Discussion for possible action on updating the “Domestic Violence Prosecution Best Practice Guidelines.”**
18. **Discussion for possible action to schedule training on Domestic Violence cases.**
The pamphlet for “Your Rights and Responsibilities as a Crime Victim and Witness” needs to be updated and reprinted. Wolfson recommended asking the victim rights advocates groups to review this document and asking them for recommendations to update the pamphlet.

Liz Greb, Grants Management Analyst for the Office of the Attorney General, reported that there was about \$100,000 in grant funds to spend on updating and reprinting the pamphlet “Your Rights and Responsibilities as a Crime Victim and Witness”, on updating “Model Policy Standard Operating Procedure for the Enforcement of Protection Orders against Domestic Violence,” on updating the “Domestic Violence Prosecution Best Practice Guidelines,” and to schedule training on Domestic Violence cases over the next two years for these items.

Greb is looking to submit new grants to fund additional training for the prosecution of domestic violence and sexual assault cases.

Hicks moved to approve agenda items #15-18, the motion was seconded by Schifalacqua, and the motion passed unanimously.

19. **Discussion for possible action to schedule training on Impaired Driving cases.**
Nevada Department of Public Safety, Grants for Projects Analyst II, Victoria Hauan, who is the Impaired Driving Program Manager stated her department has grant funding for more training prosecutors on DUI cases. AG Laxalt stated he would like to have a training session in the fall.

Hicks moved and Schifalacqua second a motion to pursue this grant, and the motion passed unanimously.

- **AG Laxalt Returned to Agenda Item #8:**

8. **Briefing on Nevada Supreme Court Committee to Study Evidence Based Pretrial Releases and Commission on Statewide Rules of Criminal Procedure by committee members District Attorneys Chris Hicks and Steven Wolfson.**
Committee to Study Evidence Based Pretrial Releases: Justice James Hardesty is the Chair, while Wolfson and Hicks are members of the committee. Justice Hardesty would like a new pre-trial risk assessment tool. Wolfson stated there will be a possible implementation of the recommendations in the spring.

Commission on Statewide Rules of Criminal Procedure:

- a. Discovery Committee: group has “sputtered out” because everyone learned, if they did not already know, discovery issues are different in each county. Lalli has recently been added to this committee, so hopefully he will be able to direct the committee.
- b. Life and Death Committee: Wolfson reported that the next meeting is set to be held in January. The committee will review a proposed document with rule changes. Then, hopefully the changes will be submitted to the commission for approval so judges will be able to manage their calendars better.
- c. Motions Practice Committee: Wolfson reported that Boyd Law School students, Emily Dyer and Brad Litman, put together a report on the Statewide Rules of Criminal Procedure in Nevada, Colorado, Utah and Arizona. The report is impressive. When approved, Wolfson recommended circulating it to members.
- d. Jury Rules Committee: Jackson stated he is hoping to have some stock instructions by the end of the year, but he has not received them, yet. After the proposed instructions are received, the committee will hold another meeting.

9. Briefing on the Nevada Advisory Commission on the Administration of Justice by DA Mark Jackson. NRS 176.0123.

The Nevada Advisory Commission on the Administration of Justice’s meeting scheduled for December 17, 2015 was cancelled and has not yet been rescheduled. New members on the commission include: Senators Aaron Ford and Mark Lipparelli and Assemblyman Elliot Anderson.

10. Presentation by Senior Deputy Attorney General Don Winne on CLE programs offered by the Attorney General’s office.

Senior DAG Don Winne discussed the CLE programs offered by the AG’s office that are open to all attorneys for \$35/class. Please contact Cafferata if you or a deputy would like to attend any of these trainings.

11. Discussion for possible action on offering a legal writing course at a future meeting.

Cafferata will send out an e-mail to the District Attorneys to see if there is an interest in scheduling such a training.

12. Discussion of follow up on bills passed by the 78th Legislature in 2015, in particular AB 193, and whether all the offices should each create a log or a statewide protocol should be developed for documenting the use of both hearsay and audiovisual provisions at preliminary hearings.

To date, AB 193 has been used twice, once by Wolfson’s office as well as once in Hicks’ office. Discussion of this bill will be on the District Attorneys’ agendas in the future.

13. Discussion of suggested topics on the Law Enforcement Summit on February 17, 2016.

AG Laxalt mentioned that Facebook has offered to come to Nevada and help with training and teaching law enforcement agencies how to better use their website to help search for people. Cafferata will also reach out to other district attorneys for other possible topics for the summit.

14. Discussion of legislative proposals for the Legislative session in 2017. At the September 24, 2015 meeting, District Attorney Wolfson indicated that NRS 176A.280 on veterans courts might need clarification.

Wolfson indicated that NRS 176A.280 on veterans courts might need clarification. Sometimes, the district attorney is not advised of the case before it is dismissed. The statute provides that: The judge “shall” dismiss the case when a Vet completes a program. Wolfson would like the statute to be clarified at next Legislative session, so that all cases are not necessarily dismissed when the program has been completed. Deputy District Attorney John Jones will ask Assemblymen Elliott Anderson and Chris Edwards to assist on this legislation.

- **Agenda items twenty (20) and twenty-one (21)**

No report.

22. Public Comment.

Public comment in Carson City:

Peter Krueger mentioned that certain “companies” who are unlicensed in the state of Nevada are selling/delivering medical marijuana, a felony under NRS 453.321. Letter dated December 10, 2015 submitted by Krueger. (See Attachment One (1).)

23. Meeting adjourned at approximately 11:10 am.

Minutes respectfully submitted by Courtney Ross and Janice Riherd, Office of the Nevada Attorney General.

In accordance with NRS 241.020, this agenda was posted on or before December 8, 2015 online at www.nvpac.nv.gov and at the following locations:

- Office of the Attorney General, 100 North Carson Street, Carson City, NV 89701
- Office of the Attorney General, 5450 Kietzke Lane, Suite 202, Reno, NV 89511
- Office of the Attorney General, Grant Sawyer Building, 555 East Washington Avenue, Las Vegas, NV 89101
- First Judicial District Court (Carson City), 885 East Musser Street, Carson City, Nevada 89701
- Second Judicial District Court (Washoe County), 1 South Sierra Street, Reno, NV 89520
- Las Vegas Regional Justice Center, 200 Lewis Avenue, Las Vegas, NV 89155

Attachment One (1)

to

District Attorney's Association Meeting Minutes

December 11, 2015

2016 Proposed Trainings - NDAF

Dates	Course	City	PD
Jan 12-14	Abusive Head Trauma*	New Orleans	MB
Jan 25-29	Digital Prosecutor*	Las Vegas	JW
Feb 2-4	Capital Conference*	Washington DC	NB
Mar 9-11	DV Course- CLOSED *	Raleigh	CM
Mar 14-18	Unsafe Havens I	Philly/Pittsburgh	MB
Apr 4-8	Evidence for Prosecutors*	Bellevue	CM
Apr 18-22	Child Proof- CLOSED *	Phoenix	MB
May 2-6	Executive Course	Austin/ Ft. Worth	JW
May 16-20	Equal Justice	Indianapolis	MB
May 23-27	Prosecuting Homicide I	Phoenix	CM
Jun 6-16	Career Course	Charleston	JW
Jun 7-9	Elder Abuse/ Vulnerable Adult	Tampa	MB
Jun 27-Jul 1	Strategies for Justice	Denver	MB
Jul 6-8	Inside the Mind of a Killer	Memphis	CM
Jul 17-19	Summer Conference*	Boston	KCC
Jul 25-29	Digital Prosecutor II	Pittsburgh	JW
Aug 8-12	<i>Capital Litigation?</i>		JW
Sep 12-16	Prosecuting Sexual Assault	Savannah	CM
Sep 19-23	Prosecuting Homicide II	Atlanta	JW
Sep 26-30	Child Fatalities	St. Louis	MB
Oct 17-21	Office Administration Course	Louisville	CM
Oct 24-28	Prosecuting Drug Cases	Minneapolis	JW
Nov 8-10	Abusive Head Trauma II	Kansas City	MB
Nov 14-18	Unsafe Havens II	Orlando	MB
Dec 5-9	Forensic Evidence	San Antonio/Santa Fe	CM
Dec 12-16	Prosecuting Cyber Crime	Washington DC	JW

* indicates definite course dates and hotel location

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